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2 **Resolution Relating to**

RESOLUTION
Sponsor(s): Councilors Keogh,
Wright, Paul, Mulvaney-Stanak: Bd. of Finance
Introduced: 09/26/11
Referred to: _____
Action: _____
Date: _____
Signed by Mayor: _____

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7 AUTHORIZATION FOR EXECUTION OF
8 COLLECTIVE BARGAINING AGREEMENT BETWEEN
9 THE CITY OF BURLINGTON AND BURLINGTON
10 FIREFIGHTERS' ASSOCIATION, LOCAL 3044
11 INTERNATIONAL ASSOCIATION OF FIREFIGHTERS

12 **CITY OF BURLINGTON**

13
14 In the year Two Thousand Eleven.....
15 Resolved by the City Council of the City of Burlington, as follows:

16
17 That WHEREAS, the City and Burlington Firefighters' Association, Local 3044 International
18 Association of Firefighters ("Union") negotiated the terms and conditions of a successor
19 agreement to the Collective Bargaining Agreement which expired on June 30, 2009; and

20 WHEREAS, the parties reached a Tentative Agreement for a new five year agreement,
21 the compensation portion of which will be effective retroactive to July 1, 2009; and

22 WHEREAS, among other changes, the Tentative Agreement provides that City
23 employees covered by the Agreement and remaining on the City payroll as of the date of
24 execution of this Agreement shall receive a cost of living adjustment of 1.75% plus steps
25 effective as of July 1, 2009, an additional cost of living adjustment of 2.0% plus steps effective
26 July 1, 2010, an additional cost of living adjustment of 2.1% effective July 1, 2011 and, effective
27 July 1, 2012 and 2013 respectively, then current employees shall receive a cost of living
28 adjustment of a minimum of 2% to a maximum of 4% based upon the Consumer Price Index
29 (CPI-U) For All Items-All Urban Consumers from March 1 of one year to the last day of
30 February of the following year; and

31 WHEREAS, commencing as of July 1, 2012 covered employees shall increase their
32 contribution to the City's health care program from 3% of regular base pay plus longevity to
33 3.5% of regular base pay plus longevity; and
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43 WHEREAS, any firefighter employed by the City after the date of this Agreement shall
44 not be permitted to collect a full retirement benefit until such employee has completed at least 25
45 years of service and attained 50 years of age. An actuarial deduction shall be applicable to
46 benefits actually received prior to age 50 and 25 years of service, except that the benefit for an
47 employee retiring between 20 and 25 years of service who is at least 50 years of age shall be
48 reduced in accordance with current practice. All other standards of the retirement program that
49 are applicable to firefighters hired after January 1, 2006 shall be applicable to such employees.
50 Prior to July 1, 2013, there shall be no change in the retirement benefits for firefighters employed
51 prior to the execution of this Agreement except that the minimum age for retirement shall
52 increase from 42 to 45 years of age. Additionally, there shall be no change in the current early
53 retirement provisions of the Agreement/Plan for firefighters employed prior to the execution of
54 this Agreement except as provided hereafter. As of July 1, 2013, firefighters hired prior to the
55 execution of this Agreement shall continue to be eligible to receive a full retirement benefit upon
56 completion of 25 years of service and the attainment of 45 years of age; however, there shall be
57 an actuarial deduction for any benefit actually received in advance of meeting such standard,
58 except that the benefit for an employee retiring between 20 and 25 years of service who has
59 attained at least 48 years of age at the time receipt of retirement benefits is commenced shall be
60 reduced in accordance with current practice.

61 A firefighter who separates from employment after at least 20 years as a firefighter, but
62 who defers receipt of a retirement benefit until reaching age 50, shall not receive any benefit
63 penalty or otherwise be adversely impacted in any way for deferring receipt of retirement

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72 benefits. Should he/she die before the commencement of receipt of any such retirement benefit,
73 the employee's surviving spouse or beneficiary shall be entitled to the retirement benefit the
74 employee would otherwise have been entitled to, commencing as of the date the deceased
75 employee would have reached age 50. At the time a firefighter separates from City employment,
76 he/she shall be obligated to designate whether there will be an immediate commencement of
77 retirement benefits or instead a deferral of receipt of such benefits until age 50.

78 All covered employees hired after the date of execution of this Agreement shall have
79 their "average final compensation" calculated on the basis of their five (5) highest earning years.
80 For covered employees hired before the execution of this Agreement, the standard will remain
81 the three (3) highest years except that if an employee has received a pay raise equaling 12% or
82 higher in any one (1) year of the employee's last five (5) years of employment, the average final
83 compensation for such employee shall be based upon the five (5) highest years of compensation;
84 and

85 WHEREAS, firefighters who qualify for disability retirement as a result of an occurrence
86 on duty shall continue to be compensated at 75% of base pay. However, if the disability arises
87 while not on duty, compensation on and after the date of this Agreement shall be 66 2/3%. Also,
88 from and after the date of execution of this Agreement; and a firefighter who becomes disabled
89 during the first 12 months of his/her employment while not on duty shall not be eligible for any
90 compensation under the City's disability retirement program; and

91 WHEREAS, nothing in this Agreement is intended to alter the calculation of retirement
92 benefits using the enhancement formula set forth in paragraph 16.12, and all calculations of

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100
101 benefits for retiring firefighters shall continue to apply the aforementioned enhancement benefits
102 consistent with past practice; and

103 WHEREAS, all non-probationary covered employees shall be entitled to one eye exam
104 by their treating physician during the term of this Agreement for the purpose of measuring visual
105 acuity at the City's expense, not exceeding \$100 for covered employee; and

106 WHEREAS, all firefighters hired after the date of this Agreement shall be entitled to a
107 cancer screening as provided for in Title 21 Vermont Statutes Annotated at the expense of the
108 City as a condition of continued employment; and

109 WHEREAS, a firefighter member of the City's Retirement Board may continue to attend
110 periodic Vermont Pension Investment Committee (VPIC) meetings in a manner consistent with
111 current practice; and

112 WHEREAS, Article 18, Section 18.7 shall be amended to provide that the City and the
113 Union shall share equally in the costs of an arbitrator engaged to resolve grievances between the
114 parties; and

115 WHEREAS, Article 16, Section 16.14 shall be amended to provide that Fire Inspectors
116 who regularly operate their personal vehicles in the course of their employment shall be
117 reimbursed for expenses at the rate of \$100 per month in lieu of all other claims for
118 reimbursement; and

119 WHEREAS, the sunset clause relating to personal leave that is present in Article 15,
120 Section 15.16 shall be deleted from the Agreement; and

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130 WHEREAS, except as modified by the terms of this Agreement, the terms and conditions
131 of the 2006-2009 Agreement between the parties shall be continued into the successor Collective
132 Bargaining Agreement;

133 NOW, THEREFORE, BE IT RESOLVED that the Honorable Mayor Bob Kiss be and
134 hereby is authorized to execute this Agreement on behalf of the City in accordance with its terms
135 and conditions.

136

137 231008-00007 Resolution re BFA 9-25-11
138 lb/jem, kas/c: Resolutions 2011/Firefighters Collective Bargaining Agreement 7-1-09 to 6-30-14
139 9/26/11